



# ***CITY COUNCIL AGENDA REPORT***

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MEETING DATE: AUGUST 2, 2005

ITEM NUMBER:

**SUBJECT: FEE WAIVER RESOLUTION FOR THE  
RESIDENTIAL REMODELING INCENTIVE PROGRAM**

**DATE: JULY 20, 2005**

**FROM: DEVELOPMENT SERVICES DEPARTMENT**

**PRESENTATION BY: DONALD D. LAMM, AICP, DEPUTY CITY MGR.-DEV. SVS. DIRECTOR**

**FOR FURTHER INFORMATION CONTACT: DON LAMM (714) 754-5270**

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## **RECOMMENDATION:**

Adoption of a resolution waiving building construction fees for the "Residential Remodeling Incentive Program."

## **BACKGROUND:**

At your meeting on July 19, 2005, City Council approved the 2005 Residential Remodeling Incentive Program to encourage greater reinvestment in our community through the upgrading of single-family homes. Program incentives include the waiving of fees for construction plan check, building permits, electrical permits, plumbing and mechanical permits. The program will be in effect from September 1, 2005 through December 31, 2005.

## **ANALYSIS:**

Pursuant to Ordinance No. 99-6, adopting the Uniform Building Codes, "all fees for services provided pursuant to the uniform codes shall not take effect until a resolution for such fees is adopted by the City Council." As such, City Council annually updates and adopts a user fee schedule for City provided services. Therefore, to waive the collection of building fees for a four-month period, Council will need to adopt a resolution formalizing the fee waiver.

## **FISCAL REVIEW:**

Staff's report to City Council on July 19<sup>th</sup> indicated the proposed program would cost/result in the waving of approximately \$58,150 over a three-month period based on current building trends. The approved four-month program is estimated to cost at least \$77,500. Should significant homeowner interest indicate a potentially dramatic increase in this program's estimated cost, staff would return to Council with a status report and seek your direction.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed and "approved as to form" the attached City Council resolution.

**ALTERNATIVES CONSIDERED:**

Alternatives were not considered nor presented.

**CONCLUSION:**


To implement the Residential Remodeling Incentive Program, City Council needs to adopt a resolution formally waiving building construction fees as detailed in the program. The resolution establishes a sunset clause whereupon the waiver would expire on December 31, 2005. Following conclusion of the program and a review of its effectiveness, should Council again wish to offer a remodeling incentive program with fee waivers, another resolution would be required at that time.



DONALD D. LAMM, AICP  
Deputy City Mgr.- Dev. Services Dir.



KHANH NGUYEN, CBD  
Building Official



MARC R. PUCKETT  
Director of Finance

ATTACHMENT: City Council Resolution No. \_\_\_\_\_

DISTRIBUTION: City Manager  
Assistant City Manager  
City Attorney  
Public Services Director  
City Clerk (2)  
Staff (4)  
File (2)

File: 080205ResidRemodelWaiver	Date: 072005	Time: 2:15 p.m.
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RESOLUTION NO. 05- \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA  
MODIFYING BUILDING AND CONSTRUCTION FEES TO ESTABLISH AND  
PROMOTE A RESIDENTIAL REMODELING INCENTIVE PROGRAM**

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS  
FOLLOWS:

WHEREAS, Section 5-1 of Chapter 1, Title 5 of the Costa Mesa Municipal Code authorizes the City Council to establish fees and fee schedules for permits, inspections, re-inspections and other activities relating to the regulation of building and construction activities in the City of Costa Mesa (hereinafter the "building and construction fees"); and

WHEREAS, pursuant to the aforesaid authority, the City Council has heretofore adopted its Resolution No. 05- 2 establishing building and construction fees for work and construction activities pursuant to the Costa Mesa Building Code, Costa Mesa Electrical Code, Costa Mesa Mechanical Code and Costa Mesa Plumbing Code (collectively referred to herein as the "Costa Mesa Building Codes"); and

WHEREAS, the City Council hereby desires to establish and promote a program known as the "Residential Remodeling Incentive Program (RRIP)" to encourage and facilitate certain home repairs, remodeling and additions in compliance with applicable requirements of the Costa Mesa Building Codes and Development Ordinances, and to waive collection of the building and construction fees, for such work as described in Section 1 below of this Resolution; and

WHEREAS, the City Council hereby finds and determines that it is in the public interest and general welfare to establish said RRIP hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Costa Mesa as follows:

1. That Resolutions No. 05- 2 is amended to waive any building and construction fees imposed and required hereunder, including any penalty fees, during the effective period of the RRIP, for any alterations/additions to single family dwellings (attached or detached) five years or more old, which may include any new accessory structures thereto.

2. That the effective period of the RRIP, including the waiver of the fees specified in Section 1 of the Resolution, shall apply to any completed permit applications received by or permits issued by the Building Division of the Development Services Department, on or after September 1, 2005, and the effective period shall expire upon December 31, 2005.

3. Except as expressly set forth herein, nothing contained in this Resolution shall be deemed to waive any fees otherwise required by any other provision of law (including but not limited to fees for City zoning entitlements, and/or fees collected by the City on behalf of any other public agency or entity), nor otherwise waive compliance with any other applicable provisions of the Costa Mesa Building Codes, Grading Ordinances, Development Ordinances, or the Costa Mesa Zoning Code.

PASSED AND ADOPTED THIS 2<sup>ND</sup> DAY OF AUGUST, 2005.

ATTEST:

\_\_\_\_\_  
Deputy City Clerk of the City of  
Costa Mesa

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

STATE OF CALIFORNIA)  
COUNTY OF ORANGE ) ss  
CITY OF COSTA MESA )

I, JULIE FOLCIK, Deputy City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. 05-\_\_\_\_ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2005, by the following roll call vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this \_\_\_\_ day of \_\_\_\_\_, 2005.

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Deputy City Clerk and ex-officio Clerk of  
the City Council of the City of Costa Mesa